

Senate File 2310

H-8240

1 Amend Senate File 2310, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I

5 ONLINE LEARNING PROGRAM AND COURSEWORK REQUIREMENTS>

6 2. Page 2, line 4, by striking <a.>

7 3. Page 2, by striking lines 20 through 28.

8 4. Page 3, line 20, by striking <(1) or (2)> and inserting
9 <(1), (2), or (3)>

10 5. Page 3, line 27, by striking <either> and inserting <any>

11 6. Page 4, after line 6 by inserting:

12 <(3) An online learning platform offered, subject to the
13 initial availability of federal funds, by the department in
14 collaboration with one or more area education agencies or in
15 partnership with school districts and accredited nonpublic
16 schools. The online learning platform may deliver distance
17 education to secondary students, including students receiving
18 independent private instruction as defined in section 299A.1,
19 subsection 2, paragraph "b", competent private instruction
20 under section 299A.2, or private instruction by a nonlicensed
21 person under section 299A.3, provided the coursework offered
22 by the online learning platform is taught and supervised by
23 a teacher licensed under chapter 272 who has online learning
24 experience and the course content meets the requirements
25 established by rule pursuant to section 256.7, subsection 32,
26 paragraph "c". The department and the area education agencies
27 operating online learning programs pursuant to section 273.16
28 shall coordinate to ensure the most effective use of resources
29 and delivery of services. Federal funds, if available, may
30 be used to offset what would otherwise be costs to school
31 districts for participation in the program.>

32 7. Page 4, by striking line 11 and inserting:

33 <c. ~~Private providers utilized to provide courses by~~ Courses
34 provided by private providers to a school>

35 8. Page 5, after line 25 by inserting:

1 <Sec. _____. Section 279.10, Code 2020, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. a. For the school year beginning July
4 1, 2020, and ending June 30, 2021, any instruction provided in
5 accordance with a return-to-learn plan submitted by a school
6 district or accredited nonpublic school to the department of
7 education in response to a proclamation of a public health
8 disaster emergency, issued by the governor pursuant to section
9 29C.6 and related to COVID-19, shall be deemed to meet the
10 requirements of subsection 1, regardless of the nature,
11 location, or medium of instruction if the return-to-learn plan
12 contains the minimum number of days or hours as required by
13 subsection 1.

14 b. For the school year beginning July 1, 2020, and ending
15 June 30, 2021, a school district or accredited nonpublic
16 school that uses a return-to-learn plan submitted pursuant
17 to paragraph "a" to provide instruction and student support
18 to respond to school closures, including but not limited
19 to closures due to inclement weather, the school district
20 or school, as appropriate, shall be deemed to meet the
21 requirements of subsection 1, regardless of the nature,
22 location, or medium of instruction.

23 c. This subsection is repealed on July 1, 2021.>

24 9. Page 5, after line 26 by inserting:

25 <DIVISION ____
26 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL
27 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME
28 Sec. _____. PROFESSIONAL DEVELOPMENT MONEYS AND HOURS
29 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE
30 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,
31 subsection 10, and the professional development requirements
32 of chapter 284, for the school year beginning July 1, 2020,
33 and ending June 30, 2021, the moneys calculated and paid to
34 the school district for professional development pursuant to
35 section 257.10, subsection 10, or section 257.37A, subsection

1 2, to provide thirty-six hours of professional development
2 opportunities held outside of the minimum school day, may
3 instead be used by a school district to provide instructional
4 time to the school calendar in addition to the amount of
5 instructional time required under section 279.10, subsection 1,
6 and the thirty-six-hour professional development requirement
7 of chapter 284 shall be reduced by such number of hours of
8 additional instructional time.

9 Sec. _____. DISTRICT MANAGEMENT LEVY FUND — PERMISSIBLE USES
10 BUDGET YEAR 2020-2021.

11 1. For the school budget year beginning July 1, 2020, and
12 ending June 30, 2021, unencumbered moneys remaining in the
13 district management levy fund under section 298A.3 at the
14 end of the budget year beginning July 1, 2019, and ending
15 June 30, 2020, and the taxes certified for levy before the
16 effective date of this Act under section 298.4 and deposited in
17 the district management levy fund for the school budget year
18 beginning July 1, 2020, and ending June 30, 2021, in addition
19 to the purposes authorized under section 298.4, may be expended
20 by a school district to provide additional instructional time
21 to the school calendar in excess of the amount of instructional
22 time required under section 279.10, subsection 1, during the
23 school year beginning July 1, 2020, and ending June 30, 2021.

24 2. The board of directors of a school district,
25 notwithstanding the budget amendment requirements of chapters
26 24 and 257, may authorize the expenditure of specified district
27 management levy funds for purposes specified in subsection 1
28 by resolution of the board specifying the amount to be used
29 and the purposes from which the funds will be reallocated, if
30 the resolution of the board is approved and filed with the
31 department of education on or before June 30, 2021.

32 DIVISION ____
33 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND
34 POLICY REQUIREMENTS

35 Sec. _____. OPEN ENROLLMENT — EXTENSION OF NOTIFICATION

1 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding
2 section 282.18, subsection 2, paragraph "a", for the school
3 year commencing July 1, 2020, a parent or guardian shall have
4 until July 15, 2020, to notify to the district of residence and
5 the receiving district, on forms prescribed by the department
6 of education, that the parent or guardian intends to enroll
7 the parent's or guardian's child in an online public school
8 in another school district, if the child, another resident of
9 the child's residence, or a regular caretaker of the child
10 has a significant health condition that increases the risk
11 of COVID-19. The notification shall include the name of the
12 person with the health condition, specify the person's health
13 condition, include written verification of the health condition
14 from the person's physician or licensed health care provider
15 and, for persons other than the child, whether the person with
16 the health condition is a resident of the child's residence
17 or the child's regular caretaker. Section 282.18, subsection
18 3, shall not apply to a notification submitted in accordance
19 with this section. Notwithstanding section 282.18, subsection
20 2, paragraph "b", the superintendent of the receiving school
21 district is authorized to approve a notification received
22 under this section. Within fourteen days of receipt of such
23 notification, the superintendent shall notify the parent or
24 guardian and the school district of residence that the request
25 has been approved or denied. If the notification has been
26 denied or if further review is required, the superintendent
27 shall provide the parent or guardian with an explanation of
28 the approval process and expected timeline for the review. A
29 decision to deny a request submitted under this section is
30 subject to appeal under section 290.1. The state board shall
31 exercise broad discretion to achieve just and equitable results
32 that are in the best interest of the affected child. This
33 section is not intended to extend the provisions of section
34 282.18, subsection 2, paragraph "a", for enrollment in a
35 physical school district.

1 Sec. _____. SCHOOL DISTRICT AND ACCREDITED NONPUBLIC SCHOOL
2 DUTIES RELATING TO PRIVATE INSTRUCTION AND AN ONLINE LEARNING
3 PROGRAM FOR THE 2020-2021 SCHOOL YEAR.

4 1. For the school year commencing July 1, 2020, all of the
5 following shall apply:

6 a. A school district shall provide to children receiving
7 competent private instruction available texts or supplementary
8 materials on the same basis as they are provided to enrolled
9 students and shall provide available texts or supplemental
10 instructional materials on the same basis as they are provided
11 to enrolled students when a child is under dual enrollment or
12 in a home school assistance program.

13 b. A school district or accredited nonpublic school shall
14 offer an assistance program for parents, guardians, or legal
15 or actual custodians providing private instruction to a child
16 of compulsory attendance age.

17 2. The provisions of this section shall only apply to
18 children who are enrolled in a school district's home school
19 assistance program by the child's parent, guardian, or legal or
20 actual custodian.

21 Sec. _____. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021
22 SCHOOL YEAR. For the school year beginning July 1, 2020,
23 and ending June 30, 2021, the board of directors of a school
24 district may authorize closure of the school district due to
25 an outbreak of COVID-19. School districts are encouraged to
26 follow guidelines issued by the centers for disease control and
27 prevention of the United States department of health and human
28 services and may consult with the local board of health when
29 determining social distancing measures or authorizing a school
30 closure.

31 Sec. _____. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL
32 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021
33 SCHOOL YEAR.

34 1. Notwithstanding any other provision of law to the
35 contrary, the instructional time requirements of section

1 279.10, subsection 1, and the minimum school day requirements
2 of section 256.7, subsection 19, shall not be waived any time
3 during the school year beginning July 1, 2020, and ending June
4 30, 2021, for school closure due to the COVID-19 pandemic
5 unless the school district or the authorities in charge of the
6 accredited nonpublic school, as appropriate, provide compulsory
7 remote learning, including online learning, electronic
8 learning, distance learning, or virtual learning.

9 2. If the board of directors of a school district or
10 the authorities in charge of an accredited nonpublic school
11 determines any time during the school year beginning July
12 1, 2020, and ending June 30, 2021, that a remote-learning
13 period is necessary, the school board or the authorities, as
14 appropriate, shall ensure that teachers and other necessary
15 school staff are available during the remote-learning period to
16 support students, to participate in professional development
17 opportunities, and to perform other job-related functions
18 during the regular, required contract hours, even if the
19 accessibility to or by the teachers and other necessary school
20 staff is offered remotely through electronic means.

21 Sec. _____. TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL
22 YEAR. In addition to the provisions of chapter 299, a
23 child who is enrolled in a school district or accredited
24 nonpublic school but who does not participate in compulsory
25 remote-learning opportunities, including online learning,
26 electronic learning, distance learning, or virtual learning,
27 offered by the school district or accredited nonpublic school
28 of enrollment during a period of school closure implemented any
29 time during the school year beginning July 1, 2020, and ending
30 June 30, 2021, due to the COVID-19 pandemic shall be considered
31 truant. This section is not applicable to a child who was
32 receiving competent private instruction or independent private
33 instruction in accordance with the requirements of chapter
34 299A, whose parent, guardian, or legal custodian notified the
35 school district prior to July 1, 2019. Any child who was

1 administered to students as required by those sections.

2 3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a
3 school district or accredited nonpublic school closes on the
4 advice of a local board of health, the department of public
5 health, or because the governor proclaims a public health
6 disaster pursuant to section 29C.6, a student who meets the
7 graduation requirements of section 256.7, subsection 26,
8 paragraph "a", the requirements of section 280.9A, and the
9 school district's or accredited nonpublic school's graduation
10 requirements may graduate without meeting the cardiopulmonary
11 resuscitation certification requirements of section 256.11,
12 section 6, paragraph "c".

13 4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —
14 COMPULSORY REMOTE LEARNING. If a parent or guardian of a
15 student enrolled in a school district or accredited nonpublic
16 school notifies the school district or accredited nonpublic
17 school in writing that the student, another resident of the
18 student's residence, or a regular caretaker of the student
19 has a significant health condition that increases the risk of
20 COVID-19, the school district or accredited nonpublic school
21 shall make reasonable accommodations for the student, on a
22 case-by-case basis, to attend school through remote learning.
23 The provision of special education and accommodations for
24 students who have individualized education programs or
25 section 504 plans in compliance with the requirements of
26 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and
27 with Tit. II of the Americans with Disabilities Act, 42
28 U.S.C. §12131-12165, will be determined by each respective
29 individualized education program team or section 504 team.
30 The notification shall include the name of the person with
31 the health condition, specify the person's health condition,
32 include written verification of the health condition from the
33 person's physician or licensed health care provider and, for
34 persons other than the student, whether the person with the
35 health condition is a resident of the student's residence

1 or the student's regular caretaker. A school district or
2 an accredited nonpublic school may collaborate with an area
3 education agency or another school district or accredited
4 nonpublic school to provide remote learning opportunities to a
5 student who meets the requirements of this section.

6 5. Notwithstanding section 256.7, subsection 32; section
7 256.9, subsection 55; section 256.43; or any other provision to
8 the contrary, a school district or accredited nonpublic school
9 may provide instruction primarily over the internet if such
10 instruction is provided in accordance with a return-to-learn
11 plan submitted by the school district or school to the
12 department of education in response to a proclamation of a
13 public health disaster emergency, issued by the governor
14 pursuant to section 29C.6 and related to COVID-19, without
15 regard to whether the school or school district is approved to
16 provide instruction primarily over the internet. Instruction
17 provided pursuant to this section shall be provided by teachers
18 licensed pursuant to chapter 272 and shall assure and maintain
19 evidence of alignment of the courses with the Iowa core and
20 core content requirements and standards.>

21 10. By renumbering as necessary.

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